

# Notice of Allowability

Application No.

10/008,742

Examiner

Kuen S. Lu

Applicant(s)

IULO ET AL.

Art Unit

2167

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to August 17, 2005.
2. ☒ The allowed claim(s) is/are 30-31, 33-42 and 44-45 (renumbered to 1-14).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date April 12, 2006.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other See Continuation Sheet.

Continuation of Attachment(s) 9. Other: Drawings filed January 24, 2002 are accepted.

### **DETAILED ACTION**

1. After a thorough search and examination of the present application, and in light of the prior art made of record and Applicant's Amendments and Remarks filed March 21, 2005 and Examiner's Amendment of April 12, 2006, Claims 30-31, 33-42 and 44-45 are allowed.

### ***Drawings***

2. The drawings filed January 24, 2002 are accepted.

### ***Examiner's Amendments***

3. An examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this Examiner's amendment, listed below, was given in a telephone interview with Ms. Marisa J. Dubuc (Registration #: 46,673), on April 12, 2006. A copy of the interview summary is attached.

4. Please amend claims 43 and 46-50 filed March 21, 2005 as follow:

43. (Canceled).

46. (Canceled).

47. (Canceled).

48. (Canceled).

49. (Canceled).

50. (Canceled).

***Reason for Allowable***

5. In the Examiner's Office Action for non-Final Rejection of October 20, 2004, 35 U.S.C. 35 U.S.C. § 103, rejections was based on a primary reference McGuire et al.: U.S. Patent 6,493,871, "METHOD AND SYSTEM FOR DOWNLOADING UPDATES FOR SOFTWARE INSTALLATION", issued December 10, 2002, hereafter "McGuire", in view of Oracle8i Release Notes, Release 3 for Windows NT, 11/16/2000, hereafter "OraRel", and further in view of Klemm et al.: U.S. Patent 6,457,142, "METHOD AND APPARATUS FOR TARGET APPLICATION PROOGRAM SUPERVISION", issued September 24, 2002 ,hereafter "Klemm".

In the Remarks filed on March 21, 2005, the Applicant specifically pointed out that, based on the claims as amended of March 21, 2005, none of the cited McGuire, OraRel and Klemm references, alone or in combination, teach or make obvious Claim 30's subject matter of: **when installing new component, a consolidated monitoring tool performs querying the workstation for inventorying existing installed components, acquiring vendor contact information for the component, building a database to store acquired information, connecting a web site to retrieve the component's product information, verifying requirements and compatibility of the component and determining an optimum configuration to configure the workstation.**

After further review of result for the searches conducted over the past, the claims most currently amended as of April 12, 2006, and further consideration of the above

remarks, the Examiner is persuaded that the prior art made of record does not teach the above **highlighted** claimed subject matter in each of the independent claims 30 and 45.

An update search conducted as described below for the claims 30 and 45 as lastly amended on March 21, 2005 and with claims 43 and 46-50 canceled by an Examiner's Amendment of April 12, 2006, the subject Application filed on November 5, 2001, is hereby considered and accepted.

A search for the prior arts on EAST database has been recently conducted to further extend and update the scope the searches conducted over the past on domains (EAST, NPL-ACM, Google, NPL-IEEE, Oracle). The prior arts searched and investigated in domains (EAST, NPL-ACM, Google, NPL-IEEE, Oracle) do not fairly teach or suggest the teaching of the combined elements as claimed in the independent claims 30 and 45.

The dependent Claims 31, 33-42 and 44, depending on claim 30, also distinct from the prior art for the same reason.

6. Any comments considered necessary by Applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

***Contact Information***

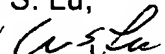
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm).

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If attempts to reach the examiner by telephone pre unsuccessful, the examiner's Supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll free).

Kuen S. Lu,

  
Patent Examiner,

April 12, 2006

  
Patent Examiner